



BURR RIDGE ZONING ORDINANCE

SECTION XIV RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction unless they are inconsistent with the manifest intent of the Board of Trustees of the Village of Burr Ridge or the context clearly requires otherwise:

1. Words used in the present tense shall include the past and the future tense.
2. Words used in the singular number shall include the plural number, and the plural the singular.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The masculine gender includes the feminine and neuter.
6. The word "person" shall include a firm, proprietorship, joint venture, association, agent, organization, partnership, trust, company or corporation, and any other form of legal entity, as well as an individual, so that where the word "person" is used it is clear that any entity which would be subject to the Zoning Ordinance would be defined as a person.
7. All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full foot next above shall be taken. Unless otherwise specified, all distances shall be measured horizontally.
8. The word "building" includes all other structures of every kind regardless of similarity to buildings.
9. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

B. DEFINITIONS

In further amplification and for clarity of interpretation of the context of this Ordinance, the following words and terms shall have the meaning set forth herein. Words contained in this Ordinance and not defined hereinafter shall assume such definitions as prescribed in the most recent edition of Webster's unabridged dictionary which apply in the context in which they are used herein.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING OR USE: An accessory building, structure or use is one which:

1. Is clearly incidental to, subordinate in purpose to, and serves the principal building or use.



2. Is subordinate in building area, intensity of use or purpose to the principal building or principal use served.
3. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served.
4. Is located on the same zoning lot as the principal building or principal use served, except as may be specifically provided for elsewhere in this Ordinance or by separate Ordinance.

ADJACENT: The terms adjacent and contiguous are used as synonymous terms, and mean parcels of land in contact with or touching another parcel of land, in contradistinction to lying across a street or alley therefrom.

AGRICULTURE: The use of land for agricultural purposes, including farming, pasturage, agriculture, horticulture, floriculture, viticulture, and the necessary accessory uses for parking and for treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Agriculture shall not include the raising of hogs, pigs or other livestock which are fed from garbage or offal.

ALLEY: A public or private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on a street or streets.

AMENDMENT: Any addition to, deletion from, or change in this Ordinance, including text amendments and/or map amendments (commonly referred to as rezonings). See Section XIII for amendment requirements and procedures.

AMUSEMENT DEVICE: Any machine, game, table or device which is designed, intended or used as entertainment, and may be operated by the public upon the insertion of a coin, slug, token, plate or disc, or the use of which is made available for any valuable consideration and is not considered a gambling device under Illinois law. Amusement device shall include, but not be limited to, devices commonly known as pinball machines, pool tables, video games, electronic games, kiddie rides, mini-theater projection devices and video screens, and all games or operations similar thereto, or which are commonly found in "game rooms" and arcades, whether or not registering a score under whatever name they may be indicated. Not included within the definition of amusement device are such devices as food, soft drink and cigarette vending machines.

ANIMAL HOSPITAL: Any building or portion thereof designed or used for the medical care, observation or treatment of domestic animals.

ANIMALS, HOUSEHOLD DOMESTIC: Animals that are customarily kept for personal use or enjoyment within the home and as defined by Chapter 6 of the Burr Ridge Municipal Code. (Amended by Ordinance A-834-8-00)

ANTENNA: Any exterior apparatus or apparatuses at a fixed location designed for telephonic, radio, data, Internet, or other communications through the sending and/or receiving of electromagnetic waves, including equipment attached to a tower or building for the purpose of providing personal wireless services as defined herein. (Added by Ordinance A-834-9-97)

ANTENNA HEIGHT: The vertical distance measured from the lowest grade level within five feet of the base of an antenna support structure to the highest point of the structure even if said highest point is an antenna. Added by Ordinance A-834-9-97

APPEAL: A contention that the Community Development Director or other authorized official has misinterpreted or incorrectly applied a provision of this Ordinance. See Section XIII for appeal requirements and procedures.



ARCADE: Any establishment containing more than two amusement devices operated on the premises for the amusement of the general public.

ATTIC: The space between the ceiling beams of a top habitable story and the roof rafters excluding any space defined as a half-story or a story. (Amended by Ord. A-834-4-02)

AUTOMOBILE SERVICE STATION: Any building, structure, or land used for dispensing or offering for sale of automotive fuels or oils having pumps and underground storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within a building. When dispensing, sale or offering for sale of any fuels or oils is incidental to the conduct of automobile repairs, the premises shall be classified as an automotive repair establishment. Automobile service stations shall not include the sales or storage (new or used) of automobiles, trailers or other vehicles, but may include convenience food stores when specifically approved.

AUTOMOTIVE REPAIR: The general repair, engine rebuilding or reconditioning of automobiles, collision service such as body, frame and fender straightening and repair, and painting of automobiles.

AWNING: Any roof-like cover which projects from the wall of a building or structure and which is so erected as to permit its being raised to a position against the building or structure when not in use.

BASEMENT: That portion of a building below the first ground floor level, but having 4.5 feet or more of its floor to clear ceiling height above the average grade of the adjoining ground. (Amended by Ord. A-834-4-02)

BERM: A man-made hill or contour of land that acts as a landscaping or grading feature or that is intended as a visual and/or sound barrier between a lot and adjacent properties, alleys or streets.

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, other permanent open areas, alleys, or other lines or demarcation such as railroad rights-of-way and shorelines of waterways. A block may be located in part beyond the boundary lines of the corporate limits of the Village of Burr Ridge.

BOARD OF TRUSTEES: The President and Board of Trustees of the Village of Burr Ridge.

BUILDABLE AREA: The area of the lot remaining after compliance with the minimum open space and/or yard requirements of this Ordinance.

BUILDING: Any structure permanently affixed to the land which is built, used, designed, or intended for the support, shelter, protection, or enclosure of persons, animals, chattels or property of any kind. When a building is divided into separate parts by unpierced fire or party walls extending continuously from the ground through all stories to and above the roof, each part shall be deemed a separate building.

BUILDING, COMPLETELY ENCLOSED: A building separated on all sides from the adjoining open spaces by a permanent roof and by exterior walls, pierced only by windows and normal entrance and exit doors; or, when adjoining another building or buildings on one or two sides, a roof and such exterior wall adjoining open space and party wall adjoining the other building.

BUILDING, DETACHED: A building entirely surrounded by open space on the same lot.

BUILDING HEIGHT: The vertical distance from the average top of foundation or the



average of the brick ledge whichever is lower in the elevation facing the front lot line to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs. (Amended by Ordinance A-834-10-06)

BUILDING, PRINCIPAL: A non-accessory building in which the primary use of the lot on which the building is located is conducted.

BUILDING, TEMPORARY: Any building not designed to be permanently located, placed, or affixed to the place where it is intended to be placed.

BULK: The term used to indicate the size and setbacks of buildings or structures and the location of same with respect to one another, and includes:

1. Size or area and height of buildings and structures;
2. Location of exterior walls at all levels in relation to lot lines, streets or other buildings;
3. Gross floor area of buildings and structures in relation to lot area (floor area ratio);
4. All open spaces allocated to buildings and structures; and
5. Amount of lot area and lot width provided for each dwelling unit.

CANOPY: A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground or side of the building and erected primarily to provide shelter from the weather, but also sometimes serving as an architectural feature.

CARPORT: A roofed automobile shelter, with at least two open sides, usually formed by extension of the roof from the side of a building.

CAR WASH: A building, structure, or portion thereof, with machine- or hand-operated facilities used principally for the cleaning, washing, polishing or waxing of automobiles.

CEILING: The overhead inside lining of a room.

CELLAR: That portion of a building below the first ground floor level having less than 4.5 feet of its floor to clear ceiling height above the average grade of the adjoining ground. A cellar is not included in computing the number of stories for the purpose of height measurement.

CHILD CARE CENTER: An institution or place in which are received three or more children, not of common parentage, apart from their parents or guardian, for part of all of a day, but not later than 9:00 p.m. The term "child care center" includes but is not limited to the following: nursery schools, child care centers, day nurseries, kindergartens and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.

CLINIC, MEDICAL, DENTAL AND OPTICAL: A building or portion thereof containing one or more individual practitioners or associations or groups of physicians, dentists, ophthalmologists, or similar professional health care practitioners, including nurses and assistants. The clinic may include accessory laboratory facilities, but shall not include inpatient care or operating rooms for major surgery.

CLUBS OR LODGES, PRIVATE, FRATERNAL OR RELIGIOUS: A group or association of persons who are bonafide members paying dues, and which owns, hires, or leases a building or portion thereof, the use of such premises being restricted to members and their guests, the affairs and management of which (not primarily for profit or to render a



service that is customarily carried on as a business) are conducted by a board of directors, executive committee, or similar body chosen by the members. The sale or service of food and alcoholic beverages to members and their guests shall be permitted, provided it is secondary and incidental to the principal use of promoting some other common objective of the organization and provided further that there is compliance with all other federal, state and local regulations governing food service and alcoholic beverages.

CONTIGUOUS: The terms contiguous and adjacent are used as synonymous terms, and mean parcels of land in contact with or touching another parcel of land, in contradistinction to lying across a street or alley therefrom.

CONVALESCENT, NURSING OR REST HOME: An establishment for the care of the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of disease or injury, maternity patients or mental illness.

CONVENIENCE FOOD STORE: A retail establishment designed for convenience and accessibility and offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 7000 square feet.

COURT: An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

CURB LEVEL: Curb level is either:

1. The established level of the curb pavement edging, along the front lot line and at a point directly in front of the center line of the building wall facing the front lot line; or
2. If a curb pavement edging does not exist, the established level along the center line of the roadway pavement at a point directly in front of the center line of the building wall facing the front lot line; or
3. In cases of exceptional differences in grade elevations between lot corners or within the area of a lot, as determined by the Community Development Director, the established curb level may be the average elevation of the finished ground grades at the building foundation walls even though such average elevation is higher than such established level of the curb pavement edging, or center line of the roadway pavement.

DAY CARE CENTER: See Child Care Center

DECIBEL: A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".

DENSITY, GROSS: The numerical value obtained by dividing the total number of dwelling units in a development by the gross area (in acres) within the development. The result is the number of dwelling units per gross acre of land.

DISTRICT: A portion of the corporate area of the Village, within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

DRIVE-IN OR DRIVE-THRU ESTABLISHMENT: Any place or business operated for the sale and purchase at retail of food and other goods, or the tendering of services, which



facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicles.

DWELLING: A building, or portion thereof, designed or used exclusively for residential occupancy (including home occupations allowed under this Ordinance), including single-family dwellings, two-family dwellings, semi-detached and attached dwellings, multiple family dwellings and townhouses, but not including mobile or motor homes, hotels, motels or lodging houses.

DWELLING, ATTACHED: A dwelling joined to two other dwellings by party walls, or vertical cavity walls, and above-ground physically unifying horizontal structural elements.

DWELLING, CLUSTER SINGLE-FAMILY: A residential building containing not more than one dwelling unit which is entirely surrounded by open space. As opposed to a development of single-family detached dwelling units, a development of cluster single-family dwellings concentrates buildings on lots which may be no larger than the footprint of each dwelling in specific areas on a site in order to allow the remaining land separating dwellings and/or clusters of dwellings to be used for recreation, common open space and preservation of environmentally sensitive areas.

DWELLING, DETACHED: A residential building containing not more than one dwelling unit which is entirely surrounded by open space on the same lot.

DWELLING, MULTIPLE-FAMILY: A residential building, or portion thereof, containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A residential building containing not more than one (1) dwelling unit only.

DWELLING, SEMI-DETACHED: A dwelling joined to one other dwelling by a party wall, or vertical cavity wall, and above-ground physically unifying horizontal structural elements.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units only, one above the other.

DWELLING UNIT: Any room or group of rooms located within a building, which are arranged, designed, used or intended for use exclusively as living quarters for one (1) family, and which shall include permanently installed complete kitchen and bath facilities.

DWELLING UNIT, ACCESSORY: A dwelling unit within a principal or accessory building, used or intended for use by domestic servants of the family occupying the principal dwelling or employees and other persons authorized to reside on the premises of a non-residential use. Such dwelling unit that is accessory to a principal dwelling shall not be otherwise used as a separate dwelling unit. The term accessory dwelling unit also includes a guest house.

EASEMENT: Land or an interest in land which has been designated by lawful agreement between the owner or owners of the land and another person or persons for a specified use only by such person or persons, including, but not limited to, municipal uses and private and public utility purposes and cable television.

EFFICIENCY UNIT: A dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off of the principal room, provided such dining alcove does not exceed 125 square feet in area.

ELECTRIC DISTRIBUTION CENTER: A terminal at which electric energy is received from the transmission system and is delivered to the distribution system only.



ELECTRIC SUBSTATION: A terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally, to the local distribution system.

ENGINEER, VILLAGE: The person or firm duly appointed and designated by the Village as the Village Engineer.

ESTABLISHMENT, BUSINESS: A building, structure or land used in whole or in part as a place of business, the ownership or management of which is separate and distinct from the ownership or management of any other place of business located on the same or any adjoining lot.

FAMILY: Two or more persons related by blood, marriage, or legal adoption living together as a single housekeeping unit within a dwelling unit, including foster children, domestic servants, and not more than two guests or roomers. The word "family" shall also include not more than five (5) unrelated persons living together as a single housekeeping unit.

FENCE: A structure which is a barrier and is used as a boundary or means of protection or confinement, which is made of manufactured material.

FENCE, OPEN: A fence, including gates, which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence.

FENCE, SOLID: Any fence which is not an open fence.

FLOOD PLAIN AREA: Land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation, as defined in Chapter 7 of the Burr Ridge Municipal Code.

FLOODWAY: The channel of a river or other watercourse and adjacent land required to store and convey the base or 100-year frequency flood in the manner set forth in Chapter 7 of the Burr Ridge Municipal Code.

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building or structure, measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings or structures. (Amended by Ord. A-834-4-02)

FLOOR AREA FOR DETERMINING OFF-STREET PARKING AND OFF STREET LOADING REQUIREMENTS: The sum of the gross horizontal area of the several floors of the building or structure, or portion thereof, as measured from the exterior faces of exterior walls, including accessory storage areas located within selling or working space such as counters, racks or closets, and any floor area devoted to retailing activities, to the production or processing of goods or to business or professional offices. However, "floor area" for the purposes of measurement for off-street parking and loading requirements shall not include: floor area devoted primarily to storage purposes (except as otherwise noted herein); floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space; or mechanical or storage floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

FLOOR AREA RATIO (FAR): The floor area of the building or buildings on a lot divided by the area of such lot, or, in the case of planned developments, by the net site area. The "floor area ratio" requirements as set forth under each zoning district shall determine the maximum floor area allowable for the building or buildings.



FREQUENCY: The number of oscillations per second in a sound wave and an index of the pitch of the resulting sound.

FRONTAGE: The length of all the property fronting on a street or streets (private or public) measured along the line of the street, or, if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

FRONTAGE, ZONING LOT: The length of all the property of such lot fronting on a street or streets (private or public), measured between side or rear lot lines along the line of the street.

GARAGE, PRIVATE: A detached accessory building, structure, or portion of a main building housing the motor vehicles of the occupants of the premises and in which no occupation or business for profit is conducted.

GROUND FLOOR AREA: The lot area covered by a building or structure, measured from the exterior faces of exterior walls, but excluding open terraces and carports.

GUEST, PERMANENT: A person who occupies or has the right to occupy a hotel or motel or apartment hotel accommodation as his domicile and place of permanent residence.

HEDGE: A row or fence of bushes or shrubs.

HELIPORT: A landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling and emergency service facilities.

HOME OCCUPATION: An occupation, profession, activity or use engaged in by the occupant of a dwelling which is clearly an incidental and secondary use of a residential dwelling unit for dwelling purposes and complies with the requirements for Home Occupations contained in Section IV.R of this Ordinance.

HOSPITAL: A medical institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment and care of individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions.

HOTEL OR MOTEL: An establishment which is open to transient guests, in contradistinction to a boarding, rooming or lodging house, and which provides customary hotel or motel services such as maid services, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service. Not more than 5% of the accommodations in a hotel may be in dwelling units occupied or intended for occupancy by permanent guests.

IMPERMEABLE SURFACE: A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of portland concrete, bituminous concrete (asphalt), composed stone or gravel, or any other surface that allows little or no water penetration.

INDUSTRIAL PARK: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and service in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations or government organizations.

JUNK (or SALVAGE) YARD: An open area where waste or scrap materials are bought, sold, exchanged, stored, baled packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, damaged vehicles not to be restored, paper, rags, rubber tires, and bottles. A "junk or salvage yard" includes an auto wrecking yard, used lumber yards and places or yards for storage of salvaged structural steel materials and equipment.



KENNEL: Any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over six months of age are kept, or on which more than two such animals are maintained, boarded, trained, groomed, bred, or cared for in return for remuneration, or are kept for the purpose of sale. Any premise of five acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.

LABORATORY: A place devoted to experimental study such as testing and analyzing. Manufacturing and sale of product or products is not permitted within a laboratory.

LAUNDERETTE: A business that provides coin operated self-service machines for use by customers on the premises to wash, dry and/or iron clothing, provided that no pick-up or delivery service is maintained.

LIVESTOCK: Horses, ponies, donkeys, sheep, goats and cattle.

LIQUOR STORE, PACKAGE: A business establishment where alcoholic beverages are kept and sold in their original containers and where such alcoholic beverages are not consumed on the premises.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and vans and with access to a street or alley.

LODGING HOUSE (including BOARDING and ROOMING HOUSE): A residential building, or portion thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which accommodate three or more persons who are not members of the keeper's family and where lodging, with or without meals, is provided for compensation on a weekly or monthly basis.

LODGING ROOM (ROOMING UNIT): A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT: A single parcel of land which is legally described and recorded as such, or which is one of two or more numbered lots or parts of such lots legally described and recorded as a part of a recorded subdivision plat, and, in any case, is located within a single block (regardless of whether or not the "block" is recorded as such) and has its principal frontage on a street or an easement or other common-use right-of-way. No parcel shall be considered a lot, even though it is called or designated a lot, if it does not have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the lot width. A lot is also one of two or more contiguous lots or parts of lots of record comprising the tract of land which is designated by the owner at the time of application for a building permit as the site to be used, developed, or built upon as a unit under single ownership or control. Therefore, a lot may or may not coincide with a single lot of record. The term "lot" shall also include any parcel of land under single ownership even though it is not recorded as a subdivided lot, including any parcels that result from a tax division of any land.

LOT AREA, GROSS: The area of a horizontal plane bounded by the front, side and rear lot lines.

LOT, CORNER: A lot which has at least two sides abutting for their full lengths upon streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection



of the side lot lines with the street line intersect at an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the corner. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents above described. A lot abutting a cul-de-sac turnaround shall not be considered a corner lot even if the curve of the turnaround complies with the terms of this definition.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

LOT, INTERIOR: A lot which is any lot other than a corner lot or a reversed corner lot.

LOT LINES: The property lines bounding the lot.

LOT LINE, FRONT: That boundary of a lot which is along an existing or dedicated public street or, where no public street exists, is along a public way. On a corner lot, the lot line having the shortest length abutting a street shall be the front lot line for the purposes of establishing front and corner side yard setbacks.

LOT LINE, INTERIOR: A lot line which does not abut a street right-of-way line.

LOT LINE, REAR: That boundary of a lot which is most distant from, and is, or is most nearly, parallel to the front lot line. In the case of a triangular or pie-shaped lot where the two side lot lines come together opposite the front lot line, a line not less than ten feet in length within the lot, which is parallel to and at the maximum distance from the front lot line. (Amended by Ordinance A-834-8-00)

LOT LINE, SIDE: Any boundary of a lot which is not a front lot line or a rear lot line.

LOT OF RECORD: A single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Cook or DuPage County, Illinois, or which has been registered in the Torrens land title system with the Registrar of Deeds in Cook County, Illinois; or a single parcel of land, the deed to which was recorded in the office of said Recorder of Deeds prior to the adoption of this 1996 Comprehensive Amendment. (See Section IV.D)

LOT, REVERSED CORNER: A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

LOT, THROUGH: A lot having a pair of opposite lot lines along two more or less parallel public streets, and which is not a corner lot. On a "through lot" both street lines shall be deemed front lot lines and front yards shall be provided as required, except as otherwise provided in Section IV.G.2.a.

LOT WIDTH: The minimum horizontal distance between the side lot lines of a lot measured at the narrowest width within the first thirty (30) feet immediately in back of the required front yard line as established herein. For a lot with a curvilinear front lot line, the lot width shall be measured on a straight line tangent to the required setback line.

LOT, ZONING: A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record. Furthermore, the designation by the owner or developer shall not be conclusive as to whether the zoning lot is buildable or otherwise approved.

MANUFACTURING ESTABLISHMENT: An establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning, servicing, or testing of materials, goods or products.



MARQUEE: A roof-like structure of a permanent nature which projects from the wall of a building.

MEZZANINE: An intermediate story between the floor and ceiling of a main story and extending over only part of the main floor.

MOBILE HOME: A structure designed for permanent habitation, and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent home and designed to permit the occupancy thereof as a dwelling place for one or more persons. Even if the structure is placed on a permanent foundation, with wheels, tongue, hitch and axle or lug bolts permanently removed, it shall be construed as a mobile home.

MOTOR FREIGHT TERMINAL: A building, structure, or area in which freight brought by motor truck or railroad is received, assembled, sorted, stored and/or rerouted for local intra-state or inter-state shipment by motor truck.

MOTOR VEHICLE: Any passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

NO-ACCESS STRIP: A strip of land along the rear lot line, adjoining a thoroughfare right-of-way, of a through lot, and which is designated on a recorded subdivision plat or property deed as land over which motor vehicular travel shall not be permitted.

NOXIOUS MATTER OR MATERIAL: Matter or material which is capable of causing injury or illness to living organisms, or is capable of causing detrimental effects to the health or the psychological, social or economic well-being of humans.

OCTAVE BAND: A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

ODOROUS MATTER: Any matter or material that yields an odor which is detectable by humans.

OFF-STREET PARKING AREA OR LOT: Land which is improved and used or a structure which is designed and used for the parking or storage of motor vehicles, including motorized construction equipment and machinery, either as accessory off-street parking spaces or as a principal (commercial) use when permitted herein by the applicable district regulations in any zoning district.

OPEN AREA: That area of a lot, or tract that is not covered by a building or structure.

OPEN SPACE, COMMON: Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.

OPEN SALES LOT: Land used or occupied for the purpose of buying, selling or renting merchandise, including but not limited to motor vehicles, stored or displayed out-of-doors prior to sale.

PARKING SPACE: An enclosed or unenclosed surface area permanently reserved for the temporary parking or storage of one automobile and appropriately connected with a street or alley by a surfaced driveway affording adequate ingress and egress. Such space and the ingress and egress shall meet all requirements of this ordinance.



PARTICULATE MATTER: Material which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or a solid at atmospheric temperature and pressure.

PARTY WALL: An interior wall of adjoining buildings extending from its footing below grade to the underside of the roof, which divides and is in common use by such adjoining buildings.

PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES: As defined in Title 47, United States Code, Section 332 (c) (7) (C) as amended now or in the future. Added by Ordinance A-834-9-97

PHILANTHROPIC INSTITUTION: A legal entity, building, structure and/or facilities devoted to the betterment and/or improvement of community life, including but not limited to such institutions as the YMCA, YWCA, boys and girls clubs, and educations and charitable foundations.

PLANNED UNIT DEVELOPMENT: Land or contiguous parcels of land of a size sufficient to create its own environment, controlled prior to its development by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the environment of which is compatible with adjacent land, and the intent of the zoning district or districts in which it is located; the developer or developers may be granted relief from specific land use regulations and design standards and may be awarded certain premiums in return for assurances of an overall quality of development, including any specific features which will be of exceptional benefit to the community as a whole.

RESERVOIR PARKING or RESERVOIR SPACES: Off-street parking spaces allocated to temporary standing of automobiles awaiting entrance to a particular establishment.

RESIDENTIAL: The use of land or buildings for dwelling purposes.

RESTAURANT: An establishment that serves unpackaged food and beverages in individual servings, or in nondisposable containers to customers who consume these foods while seated within the building.

RESTAURANT, DRIVE-IN: See DRIVE-IN OR DRIVE-THRU ESTABLISHMENT and also RESTAURANT, FAST-FOOD

RESTAURANT, FAST-FOOD: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either: 1) the foods, frozen desserts, or beverages are usually served in paper, plastic or other disposable containers, and where customers are usually not served their food, frozen deserts, or beverages by a restaurant employee at the same table or counter where the items are consumed; or 2) the establishment includes a drive-in or drive-thru service facility or offers curb service.

REST HOME: See CONVALESCENT, NURSING OR REST HOME.

RINGELMANN CHART: The chart described in the U.S. Bureau of Mines Information Circular 8333, as may be from time to time amended or replaced, and on which are illustrated graduated shades of gray for use in estimating the light-obscuring capacity of smoke density.

RINGELMANN NUMBER: The number of the area on the Ringelmann Chart that coincides most nearly with the visual density of emission or the light-obscuring capacity of smoke.



ROADSIDE STAND (FARM STAND): A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

ROADWAY (RIGHT-OF-WAY): A strip of land which is a public right-of-way, with unencumbered fee simple title in the Village or other appropriate public entity or with a permanent roadway easement or easement by prescription, which affords primary means of access by pedestrians and vehicles to abutting properties.

ROOMING UNIT: See LODGING ROOM.

SATELLITE DISH, NON-COMMERCIAL EARTH: Any TV antenna which is designed for receiving television or radio signals from satellites or other sources.

SCREENING: A structure erected or vegetation planted for the purpose of concealing from view the area behind it.

SETBACK: The minimum horizontal distance between a lot or property line and the nearest front, side or rear yard line.

SEXUALLY ORIENTED BUSINESS: An adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor, sexual encounter establishment, escort agency, or semi-nude or nude model studio as adopted and set forth in Chapter 9 of the Burr Ridge Village Code. (Amended by Ordinance A-834-13-06)

SHOPPING CENTER: A group of commercial establishments on a single site with common parking facilities, planned, developed and managed as a unit related in location, size and type of shops to the trade area that the unit serves.

SHRUBBERY: The linear planting or growth of several-stemmed woody plants.

SIGN: Every name, identification, description, announcement, declaration, demonstration, display, flag, illustration or insignia, and the structure displaying or supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon land, including billboards, ground signs, wall signs, roof signs, illuminated signs, projecting signs, temporary signs, marquees, awnings, canopies and street clocks, which directs attention to an object, product, place, activity, person, institution, organization or business when placed out of doors in view of the general public (See Chapter 55 [Signs] of the Burr Ridge Municipal Code).

SMOKE: The visible discharge from a chimney, stack, vent, exhaust, or combustion process which is made up of particulate matter.

SMOKE UNIT: The number obtained when the smoke density in the Ringelmann Number is multiplied by the time of emission in minutes. For the purpose of this calculation: (a) a Ringelmann density reading shall be made at least once a minute during the period of observation; (b) each reading is then multiplied by the time in minutes during which it is observed; and (c) the various products are then added together to give the total number of smoke units observed during the entire observation period.

SOUND LEVEL: The intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER: An instrument standardized by the American Standards Association for measurement of the intensity of sound.

SPECIAL USE: A use, either public or private, which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district or



districts. After due consideration, in each case, of the impact of such use at the particular location, such special use may or not be granted, subject to the terms of this Ordinance.

STORY: That part of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above, and if there be no floor above, then the ceiling above. The floor of a story may have split levels, provided that there are not more than four feet difference in elevation between the different levels of the floor. A basement shall be counted as a story and a mezzanine floor shall be counted as a story when it covers over one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more.

STORY, HALF: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four and one-half feet above the finished floor of the story immediately below, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family occupying the floor immediately below it, shall be deemed a full story.

STREET: The paved area of a public right-of-way, with unencumbered fee simple title in the Village or other appropriate public entity or with a permanent roadway easement or easement by prescription, which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated. A street does not include a driveway to a building.

STREET LINE: The street right-of-way line abutting a property line of a lot.

STRUCTURE: Anything which is constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.

STRUCTURAL ALTERATION: Any change, other than incidental repairs, which would prolong the life of the supporting members of a building or structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundation.

TAVERN (COCKTAIL LOUNGE): An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks may be available for consumption on the premises.

TENT: Any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

THREE-COMPONENT MEASURING SYSTEM: A complement of instruments or seismographs which can record, simultaneously, vibration vectors in three mutually-perpendicular directions.

THRESHOLD LIMIT VALUE (TLV): The maximum allowable concentration permitted an industrial worker for eight hours exposure per day, five days a week, as adopted by the American Conference of Governmental Industrial Hygienists.

TOWER, FREESTANDING: A structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities, radio transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and similar structures. Added by Ordinance A-834-9-97

TOWNHOUSE: See DWELLING, ATTACHED and DWELLING, SEMI-DETACHED.



TOXIC MATTER OR MATERIAL: Any substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property when emitted in any amount, is potentially injurious to plants, animals or human being.

TRAILER: A movable or portable unit to be towed on its own chassis and which is used for recreational or temporary office or lodging purposes, and is not designed for permanent or long-term residence.

USE: The purpose or activity for which the land, and buildings and structures thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY: See ACCESSORY BUILDING OR USE.

USE, LAWFUL: The use of any building, structure, or land that conforms with all of the regulations of this Ordinance or any amendment hereto and which conforms with all of the codes, ordinances and other legal requirements existing at the time of the enactment of this Ordinance or any amendment thereto, for the building, structure or land.

USE, PERMITTED: Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and, when applicable, performance standards of this Ordinance for the district in which such use is located.

USE, PRINCIPAL: The main use of land, buildings, or structures as distinguished from a subordinate or accessory use. A "principal use" may be a "permitted use" or a "special use".

USE, SPECIAL: See Special use.

VARIATION: A relaxation of the provisions of this Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Ordinance would result in unnecessary and undue hardship.

VEHICLE: Any device in, upon or by which any person or property is or may be transported or drawn upon a highway or waterway, except devices moved by human power.

VENDING MACHINE: A machine for dispensing merchandise when money is inserted and which is designed to be operated by the customer.

VIBRATION: The periodic displacement of a body or medium in alternately opposite directions from the position of equilibrium when that equilibrium has been disturbed.

VIBRATION FREQUENCY: The number of oscillations per second of a vibration.

WALL: A linear structure which serves to support, retain or screen.

WATCHMAN'S QUARTERS: Working facilities for an owner/operator or employee to provide a 24-hour security in any zoning district where such accommodations are a permitted use. Watchman's quarters shall not serve as a primary residence for a watchman.

YARD: An open space on the same zoning lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in Section IV of this Ordinance. A "yard" extends along a lot line, and to a depth and width specified in the yard requirements for the zoning district in which such zoning lot is located.

YARD LINE: A line in a lot that is parallel to the lot line along which the applicable yard extends and which is not nearer to such lot line at any point than the required depth or width



of the applicable yard. A building, structure or other obstruction shall not encroach into the area between the yard line and such adjacent lot line, except for such permitted obstructions in yards as are set forth in this Ordinance.

YARD, CORNER SIDE: A yard extending along a side lot line which adjoins a public street and between the front and rear yards to a width specified in the yard requirements for the zoning district.

YARD, FRONT: A yard extending along the full length of the front lot line between the side lot lines to a depth specified in the yard requirements for the zoning district or to the depth equal to the point at which the required lot width is established, whichever is greater.

YARD, INTERIOR SIDE: A yard located immediately adjacent to another lot or to an alley separating such side yard from another zoning lot.

YARD, REAR: A yard extending along the full length of the rear lot line between the side lot lines to a depth specified in the yard requirements for the zoning district.

YARD, SIDE: A yard extending along a side lot line from the front yard line and the rear yard line to a width specified in the yard requirements for the zoning district.

YARD, TRANSITIONAL: Any yard adjacent to a more restrictive zoning district.

ZONING DISTRICTS: The districts into which the Village of Burr Ridge, Illinois, has been divided, as set forth on the Zoning District Map, for the purposes of zoning regulations and requirements.